HON'BLE SHRI G.S. SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI JUSTICE C.V.NAGARJUNA REDDY

Writ Petition No.1789 of 2007

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Between:

S.Venkata Vijaya Narasimha Raju and others.
...Petitioners.

And

Visakhapatnam Municipal Corporation,
represented by its Commissioner,
Visakhapatnam and others. ...
Respondents.

:: O R D E R ::

Counsel for the petitioners : Sri V.S.R.Anjaneyulu

Counsel for respondent No.1 : Sri N.Ranga Reddy

2nd February, 2007

Per G.S. SINGHVI, C.J.

This petition filed by S.Venkata Vijaya Narasimha Raju and two others is representative of the complaint made by the residents of different towns, cities and corporation areas of the State of Andhra Pradesh, who repeatedly represent their grievance against the illegal/unauthorized constructions by unscrupulous neighbours, but do not get any response from the

authorities of the municipalities, municipal corporations and urban development authorities.

On an earlier occasion, this Court, after taking cognizance of the attitude of indifference exhibited by the officers of the local bodies, who are entrusted with the task and duty of ensuring development of urban areas strictly in accordance with the approved master plan and zoning regulations, issued general directions to the Commissioners and other authorities of the municipal bodies to positively respond to the complaints regarding illegal/unauthorized constructions within two weeks, but it appears that the officers concerned are either unaware of the orders of the Court, or are grossly remiss in taking action on the basis of the complaints made by persons like the petitioners.

The grievance of the petitioners is that even though they have, time and again, represented to Commissioner, Visakhapatnam Municipal Corporation and other authorities against the illegal constructions being raised by respondent No.3 in plot bearing Door No.49-52-8 facing 80 feet road, Sankara Matham Road, Visakhapatnam, the concerned officers have failed to take action to stop the on-going construction and demolish the illegal construction.

We have heard Sri V.S.R.Anjaneyulu, learned counsel for the petitioners and perused the record. In our opinion, ends of justice will be met by directing Commissioner, Visakhapatnam Municipal Corporation to take action on the representations made by the petitioners and pass appropriate order within a period of seven days from the date of receipt of copy of this order. Ordered accordingly.

However, it is made clear that this direction shall not

be construed as a mandate of the Court for demolition of the construction raised by respondent No.3. If Commissioner, Visakhapatnam Municipal Corporation comes to the conclusion that the construction raised by respondent No.3 is contrary to the sanctioned plan or master plan or zoning regulations, then he shall take action in accordance with law after issuing notice to respondent No.3 and giving her reasonable opportunity of hearing.

The writ petition is disposed of in the manner indicated above.

As a sequel to disposal of the writ petition, WPMP.Nos.2258 and 2259 of 2007 filed by the petitioners for interim relief are disposed of as infructuous.

G.S.SINGHVI, C.J.

2nd February, 2007

C.V.NAGARJUNA REDDY, J.

Note: The Court Officer is directed to give attested copies of this order to the counsel for the parties and the learned Government Pleader for Municipal Administration.

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